

UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

U.S. BANKRUPTCY COURT
FILED
100 SEP 29 2020 CLERK
S.D.N.Y.
CINNY

IN RE:

SEARS HOLDINGS CORPORATION, *et al.*

Debtors.

Chapter 11

Case No. 18-23538 (RDD)

(Jointly Administered)

**RESPONSE OF MARION COUNTY TREASURER
TO DEBTOR'S TWENTY-SECOND OMNIBUS OBJECTION**

COMES NOW the Treasurer of Marion County, Indiana, by and through counsel, and for its Response to Debtor's Twenty-Second Omnibus Objection's [Doc 8452] (hereinafter referred to as "the objection") states as follows:

I. CLAIM NO. 19832

1. The objection indicates that the Treasurer's claim for unsecured, priority taxes under claim number 19832 has been paid. However, there is a remaining balance of \$155.36 for parcel D105700. *See* current tax bill attached hereto as Exhibit A.

2. Claim number 19832 was for 2018 payable 2019 taxes. The amounts claimed for Parcels D513520, F532285, and I116980 have been satisfied. The charges for parcel F193112 were removed by the Marion County Assessor's office and that parcel has been deactivated.

II. CLAIM NO. 19833

1. The objection indicates that the Treasurer's claim number 19833 has been paid. However, no such alleged payments have been received to date.
2. The claim includes taxes for 2017 payable in 2018 and an estimate of 2018 payable in 2019 for parcels C100512 and I501578, which are priority taxes pursuant to 11 USC § 507.
3. As of the date of this response, no payments have been received for the aforementioned parcels. There remains an outstanding balance of \$20,800.66. See current tax bills attached hereto as Exhibits B and C.

WHEREFORE, the Marion County Treasurer requests that Proof of Claim Nos. 19832 and 19833 be allowed as priority claims, that the amount be modified to \$20,956.02, that the Objection to these claims be overruled, and for all other just and proper relief.

Respectfully submitted,

By: Douglas DeGlopper
Douglas J. DeGlopper
Attorney for Marion County Treasurer
318 East 64th Street
Indianapolis, IN 46220
(317) 403-0098
ddeglopper@aol.com

CERTIFICATE OF SERVICE

I do hereby certify that a copy of the foregoing Response to Debtor's 22nd Omnibus Objection has been served upon counsel of record listed below by electronic notice or United States first class postage pre-paid on this 23rd day of September, 2020.

Clerk of the Court
United States Bankruptcy Court
Southern District of New York
300 Quarropas Street
White Plains, NY 10601

Weil, Gotshal & Manges, LLP
Attn: Ray C. Schrock,
Jacqueline Marcus,
Garrett A. Fail, and
Sunny Singh
767 Fifth Avenue
New York, NY 10153

Office of the US Trustee
U S Federal Building
201 Varick Street, Ste 1006
New York, NY 10014

Honorable Robert D. Drain
United States Bankruptcy Court
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

Akin Gump Strauss Hauer & Feld LLP
Attn: Philip C. Dublin, Ira Dizengoff, and
Sara Lynne Brauner
One Bryant Park
New York, NY 10036

By:

Douglas DeGlopper

Douglas J. DeGlopper
Attorney for Marion County Treasurer

COUNTY:49-MARION

Pg 6 of 8 SPRING INSTALLMENT REMITTANCE COUPON

STATE PARCEL NUMBER	COUNTY PARCEL NUMBER D105700	TAX YEAR 2019 Payable 2020	Late Payment Penalty: 5% penalty after May 11, 2020, if there is no delinquent amount; 10% penalty for previous delinquency or if payment is made after June 10, 2020
TAXING UNIT NAME 400/400 LAWRENCE OUTSIDE	LEGAL DESCRIPTION		

TOTAL AMOUNT DUE by May 11, 2020 **\$0.00**

SEARS ROEBUCK AND CO #8090
 SEARS HOLDING CORP
 TAX DEPT BC-151A
 3333 BEVERLY RD
 HOFFMAN ESTATES, IL

60179

01200000000000001057003

(317) 327-4444 ■ Pay Online at: treasurer.indy.gov

Remit Payment and Make Checks Payable to:

MARION COUNTY TREASURER

P.O. Box 6145
 Indianapolis, IN 46206

COUNTY:49-MARION

FALL INSTALLMENT REMITTANCE COUPON

STATE PARCEL NUMBER	COUNTY PARCEL NUMBER D105700	TAX YEAR 2019 Payable 2020	Late Payment Penalty: 5% penalty after November 10, 2020, if there is no delinquent amount; 10% penalty for previous delinquency or if payment is made after December 10, 2020
TAXING UNIT NAME 400/400 LAWRENCE OUTSIDE	LEGAL DESCRIPTION		

TOTAL AMOUNT DUE by November 10, 2020 **\$155.36**

SEARS ROEBUCK AND CO #8090
 SEARS HOLDING CORP
 TAX DEPT BC-151A
 3333 BEVERLY RD
 HOFFMAN ESTATES, IL

60179

(317) 327-4444 ■ Pay Online at: treasurer.indy.gov

Remit Payment and Make Checks Payable to:

MARION COUNTY TREASURER

P.O. Box 6145
 Indianapolis, IN 46206

022000000160361057008

COUNTY:49-MARION

TAXPAYER'S COPY-KEEP FOR YOUR RECORDS

STATE PARCEL NUMBER	COUNTY PARCEL NUMBER D105700	TAX YEAR 2019 Payable 2020	DUE DATES SPRING - May 11, 2020 FALL - November 10, 2020
TAXING UNIT NAME 400/400 LAWRENCE OUTSIDE	LEGAL DESCRIPTION		

PROPERTY ADDRESS

7286 E 86TH ST

PROPERTY TYPE Business Personal	TOWNSHIP 4-LAWRENCE
ACRES 0.00	BILL CODE
LOCAL HS 02.67/\$0.00	811

DATE OF STATEMENT: 9/23/2020

TOTAL CHARGES	SPRING TOTAL	FALL TOTAL
Tax	\$0.00	\$0.00
Other Assessment (OA)	\$0.00	\$0.00
Delinquent Tax	\$0.00	\$155.36
Delinquent Penalty	\$0.00	\$23.31
Delinquent OATax	\$0.00	\$0.00
Delinquent OA Penalty	\$0.00	\$0.00
Fees	\$0.00	\$0.00
Auditor Corrections	(\$23.31)	\$0.00
Total Payments	\$0.00	\$0.00
Total Amount Due	\$0.00	\$155.36
Surplus	\$0.00	\$0.00

SEARS ROEBUCK AND CO #8090
 SEARS HOLDING CORP
 TAX DEPT BC-151A
 3333 BEVERLY RD
 HOFFMAN ESTATES, IL

60179

Important Information

- *To pay by eCheck, credit card or phone, sign up for e-billing, view tax statement or contact our office for more information visit treasurer.indy.gov or call 317-327-4444.
- *Establish a payment plan or make partial payments. Any unpaid balance as of the due date will incur an additional penalties. Note: All payments are applied to oldest delinquencies unless directed in writing.

*You can receive your tax statement much earlier via e-mail delivery. Enroll online. Also view e-payment options at: treasurer.indy.gov

STATE PARCEL NUMBER	COUNTY PARCEL NUMBER C100512	TAX YEAR 2019 Payable 2020	Late Payment Penalty: 5% penalty after May 11, 2020, if there is no delinquent amount; 10% penalty for previous delinquency or if payment is made after June 10, 2020
TAXING UNIT NAME 300/300 FRANKLIN OUTSIDE	LEGAL DESCRIPTION		

TOTAL AMOUNT DUE by May 11, 2020 **\$0.00**

KMART CORPORATION #7431
 SEARS HOLDING CORP
 TAX DEPT BC-151A
 3333 BEVERLY RD
 HOFFMAN ESTATES, IL 60179

(317) 327-4444 ■ Pay Online at: treasurer.indy.gov

Remit Payment and Make Checks Payable to:
 MARION COUNTY TREASURER
 P.O. Box 6145
 Indianapolis, IN 46206

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COUNTY:49-MARION

FALL INSTALLMENT REMITTANCE COUPON

STATE PARCEL NUMBER	COUNTY PARCEL NUMBER C100512	TAX YEAR 2019 Payable 2020	Late Payment Penalty: 5% penalty after November 10, 2020, if there is no delinquent amount; 10% penalty for previous delinquency or if payment is made after December 10, 2020
TAXING UNIT NAME 300/300 FRANKLIN OUTSIDE	LEGAL DESCRIPTION		

TOTAL AMOUNT DUE by November 10, 2020 **\$5,004.10**

KMART CORPORATION #7431
 SEARS HOLDING CORP
 TAX DEPT BC-151A
 3333 BEVERLY RD
 HOFFMAN ESTATES, IL 60179

(317) 327-4444 ■ Pay Online at: treasurer.indy.gov

Remit Payment and Make Checks Payable to:
 MARION COUNTY TREASURER
 P.O. Box 6145
 Indianapolis, IN 46206

02200000500410C1005126

COUNTY:49-MARION

TAXPAYER'S COPY-KEEP FOR YOUR RECORDS

STATE PARCEL NUMBER	COUNTY PARCEL NUMBER C100512	TAX YEAR 2019 Payable 2020	DUE DATES SPRING - May 11, 2020 FALL - November 10, 2020
TAXING UNIT NAME 300/300 FRANKLIN OUTSIDE	LEGAL DESCRIPTION		

PROPERTY ADDRESS 5101 E THOMPSON RD		DATE OF STATEMENT:9/23/2020		
PROPERTY TYPE Business Personal	TOWNSHIP 3-FRANKLIN	TOTAL CHARGES	SPRING TOTAL	FALL TOTAL
ACRES 0.00	BILL CODE 811	Tax	\$0.00	\$0.00
LOCAL HS 02.67/\$0.00		Other Assessment (OA)	\$0.00	\$0.00
		Delinquent Tax	\$0.00	\$4,912.80
		Delinquent Penalty	\$0.00	\$899.52
		Delinquent OATax	\$0.00	\$0.00
		Delinquent OA Penalty	\$0.00	\$0.00
		Fees	\$0.00	\$10.00
		Auditor Corrections	(\$818.22)	\$0.00
		Total Payments	\$0.00	\$0.00
		Total Amount Due	\$0.00	\$5,004.10
		Surplus	\$0.00	\$0.00

KMART CORPORATION #7431
 SEARS HOLDING CORP
 TAX DEPT BC-151A
 3333 BEVERLY RD
 HOFFMAN ESTATES, IL 60179

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*To pay by eCheck, credit card or phone, sign up for e-billing, view tax statement or contact our office for more information visit treasurer.indy.gov or call 317-327-4444.
 *Establish a payment plan or make partial payments. Any unpaid balance as of the due date will incur an additional penalties. Note: All payments are applied to oldest delinquencies unless directed in writing.

Important Information

Exhibit B

COUNTY:49-MARION

Pg 8 of 8 SPRING INSTALLMENT REMITTANCE COUPON

STATE PARCEL NUMBER	COUNTY PARCEL NUMBER 0501578	TAX YEAR 2019 Payable 2020	Late Payment Penalty: 5% penalty after May 11, 2020, if there is no delinquent amount; 10% penalty for previous delinquency or if payment is made after June 10, 2020
TAXING UNIT NAME 900/900 WAYNE OUTSIDE	LEGAL DESCRIPTION		

TOTAL AMOUNT DUE by May 11, 2020 **\$0.00**

KMART CORPORATION #3251
SEARS HOLDING CORP
TAX DEPT BC-151A
3333 BEVERLY RD
HOFFMAN ESTATES, IL 60179

(317) 327-4444 ■ Pay Online at: treasurer.indy.gov
Remit Payment and Make Checks Payable to:
MARION COUNTY TREASURER
P.O. Box 6145
Indianapolis, IN 46206

0120000000000015015788

COUNTY:49-MARION

FALL INSTALLMENT REMITTANCE COUPON

STATE PARCEL NUMBER	COUNTY PARCEL NUMBER	TAX YEAR	Late Payment Penalty: 5% penalty after November 10, 2020, if there is no delinquent amount; 10% penalty for previous delinquency or if payment is made after December 10, 2020
TAXING UNIT NAME 900/900 WAYNE OUTSIDE	1501578	2019 Payable 2020	

TOTAL AMOUNT DUE by November 10, 2020 \$15,796.56

KMART CORPORATION #3251
SEARS HOLDING CORP
TAX DEPT BC-151A
3333 BEVERLY RD
HOFFMAN ESTATES, IL 60179

(317) 327-4444 ■ Pay Online at: treasurer.indy.gov
Remit Payment and Make Checks Payable to:
MARION COUNTY TREASURER
P.O. Box 6145
Indianapolis, IN 46206

0220000157965615015787

COUNTY:49-MARION

TAXPAYER'S COPY-KEEP FOR YOUR RECORDS

STATE PARCEL NUMBER	COUNTY PARCEL NUMBER	TAX YEAR 2019 Payable 2020	DUE DATES SPRING - May 11, 2020 FALL - November 10, 2020
	150-578-0001		
TAXING UNIT NAME 900/900 WAYNE OUTSIDE	LEGAL DESCRIPTION		

PROPERTY ADDRESS	
6780 W WASHINGTON ST	
PROPERTY TYPE	TOWNSHIP
Business Personal	9-WAYNE
ACRES	BILL CODE
0.00	811
LOCAL HS	
02.67/\$0.00	

DATE OF STATEMENT: 9/23/2020		
TOTAL CHARGES	SPRING TOTAL	FALL TOTAL
Tax	\$0.00	\$0.00
Other Assessment (OA)	\$0.00	\$0.00
Delinquent Tax	\$0.00	\$15,791.56
Delinquent Penalty	\$0.00	\$2,368.74
Delinquent OATax	\$0.00	\$0.00
Delinquent OA Penalty	\$0.00	\$0.00
Fees	\$0.00	\$5.00
 Auditor Corrections	 (\$2,368.74)	 \$0.00
Total Payments	\$0.00	\$0.00
Total Amount Due	\$0.00	\$15,796.56
Surplus	\$0.00	\$0.00

KMART CORPORATION #3251
SEARS HOLDING CORP
TAX DEPT BC-151A
3333 BEVERLY RD
HOFFMAN ESTATES, IL 60179

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